

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA

ROANOKE DIVISION

FEB 27 2006
JOHN F. CORCORAN CLERK
BY:
DEPUTY CLERK

CHRISTOPHER SCOTT EMMETT,

Petitioner,

v.

WILLIAM PAGE TRUE, Warden,
Sussex I State Prison,

Respondent.

CIVIL ACTION No. 7:05cv00329

ORDER

JUDGE NORMAN K. MOON

For the reasons stated in the accompanying Memorandum Opinion, it is hereby

ADJUDGED and ORDERED

that Respondent's Motion to Dismiss is hereby GRANTED and Petitioner's Petition for a Writ of Habeas Corpus is hereby DENIED. Petitioner's Motion for the Appointment of Mental Health Expert is therefore DENIED as moot.

It is so ORDERED.

The Clerk is hereby directed to send a copy of this Order and accompanying Memorandum Opinion to all counsel of record.

ENTERED: J. Kumar & Mon
U.S. District Judge

February 27, 2006
Date